

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 4th Day of June 1998

BEFORE

THE HON'BLE MR. JUSTICE CHANDRASHEKARAIHAH

WRIT PETITION NO.12403/1998

Between:

K.A.Uthappa,
S/o.Late Nanajappa,
Karikere Village
and post, Gonikoppa,
South Coorg.

...PETITIONER

(By Sri.M.Sajan Poovayya, Adv.)

And:

1. The Assistant Commissioner,
Madikeri sub-division,
Madikeri,
Kodagu District.
2. The Gram Panchayath
Athur Village,
Virajpet Taluk,
South Coorg,
Represented by its
Secretary.
3. B.C.Nanajunda,
Athur Village,
Virajpet Taluk,
South Coorg.

...RESPONDENTS

(By Sri.Ragunath Manvi, Adv. for R-3,
Sri.K.Nagaraja, HCGP for R-1)

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This Writ Petition is filed under Articles
226 and 227 of the Constitution of India with a

prayer to quash the order dated 2.4.1998 passed by the Assistant Commissioner, Madikeri, vide Annexure 'E' which licences the third respondent to sell pork within the jurisdiction of the second respondent, Athur village, Grama Panchayath.

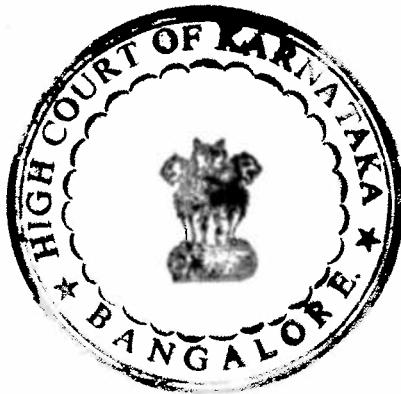
This Writ Petition coming on for orders this day, the Court made the following:-

O_R_D_E_R

The petitioner has challenged the order passed by the Assistant Commissioner in the appeal filed by the petitioner in this Writ Petition. As against the order of the Assistant Commissioner granting licence in favour of the petitioner, no appeal is provided under the Act.

2. The learned Counsel for the 3rd respondent after coming to know of the legal position has filed a memo stating that he has no objection to allow the ^{Writ Petition} ~~appeal~~ reserving liberty to file an appeal as against the order granting licence before the Competent authority.

In view of the said memo, the Writ Petition is
allowed. The order of the Assistant Commissioner
~~is~~ produced as Annexure 'E' is quashed. However,
liberty is reserved to the 3rd respondent to
prefer an appeal as against the order granting
licence, ^{by me} to the appropriate authority.



Sd/-
JUDGE

sps/-